IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

FRIDAY, THE 10TH AUGUST 2007 / 19TH SRAVANA 1929

Crl.MC.No. 2593 of 2004

CRIME NO.169/2004 of PALARIVATTOM POLICE STATION

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PETITIONERS:

1. K.M.THOMAS, AGED 44 YEARS,
   S/O. K.T.MATHEW, MANAGING DIRECTOR,
   CARE & CONCERN AGENCIES & SERVICES
   PVT.LTD., 32/1306 E., PIPE LINE ROAD,
   PALARIVATTOM, KOCHI-25.

2. JANIZ K.THOMAS, AGED 34 YEARS,
   W/O. K.M.THOMAS, DIRECTOR, DO. DO.

BY ADV. SRI.T.KURIAKOSE PETER
SRI.ABRAHAM P.GEORGE

RESPONDENTS:

1. STATE OF KERALA, REP. BY THE
   PUBLIC PROSECUTOR, HIGH COURT
   OF KERALA, ERNAKULAM, KOCHI-31.

2. SOUMYA P.T., AGED 20 YEARS,
   D/O. THOMAS P.V., PANTHAPLAKKA HOUSE,
   KORATTY SOUTH P.O., TRICHUR DISTRICT.

BY PUBLIC PROSECUTOR SRI.P.RAVINDRA BABU

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 10/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.P. Balachandran, J.

Crl.M.C.No. 2593 of 2004

ORDER

Though this Crl.M.C. was filed as early as on 28.9.2004, nobody wanted this matter to be moved and orders obtained, despite lapse of about three years. The prayer in this Crl.M.C. is to quash Annexure A1 FIR in crime No.169/04 of Palarivattom Police Station. Annexure A1 FIR was being registered on the basis of Annexure A2 complaint addressed to the Chief Minister, which was forwarded to the Commissioner of Police, who forwarded it to the Station House Officer, Palarivattom Police Station with a direction to register crime and to do the needful. Crime No. 169/04 of Palarivattom Police station registered, drawing up Annexure A1 FIR, was for offence under section 420 IPC read with Section 34 thereof against the petitioners. Petitioners cannot seek to have the investigation in Annexure A1 crime quashed invoking the jurisdiction of this Court

under Section 482 Cr.P.C., as necessarily, investigation requires to be conducted in Annexure A1 crime.

This Crl.M.C., in the circumstances, is devoid of merit and is dismissed.

10th August, 2007 (K.P.Balachandran, Judge)

tkv